

REMARKS

Applicant requests reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1-18 are currently pending in the present application. Claims 1, 3, and 16-18 are the independent claims.

Claims 1, 3, and 16-18 have been amended. No new matter has been added.

Initially, Applicant acknowledges with appreciation the indication that claims 3-8 and 11-14 would be allowable if rewritten in independent form to include all of the features of the base claim and any intervening claims. By the present Amendment, Applicant has rewritten claim 3 in independent form to include all of the features of its base claim and the intervening claim. Claims 4-8 and 11-14 depend either directly or indirectly from claim 3. Also, Applicant has amended independent claim 18 to include the feature of previously cancelled claim 19, which was indicated in the last Office Action as being patentable. Thus, it is respectfully submitted that claims 3-8 and 11-14 and 18 are now in allowable form.

The Office Action objected to the drawings for include a reference numeral not mentioned in the Specification. The Office Action also objected to the Specification for not including a brief description of FIG. 6. By the present Amendment, Applicant has amended the Specification to mentioned an impeller 132' and to add a brief description of FIG. 6. Favorable consideration is respectfully requested.

Claims 1, 2 and 16-18, stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,108,508 (Takeuchi et al.). Claims 9 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Takeuchi et al. in view of U.S. Patent No. 6,035,165 (Watanabe). Claim 10 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Takeuchi et al. in view of U.S. Patent No. 6,385,421(Imamiya et al). All rejections are respectfully traversed.

Independent claim 1 recites, inter alia, that a developing restricting member is substantially in contact with a partition.

Independent claims 16 and 17 recite, inter alia, that a restricting unit is substantially in contact with a partition.

However, Applicant respectfully submits that none of the asserted citations teaches or

suggests at least the aforementioned features of independent claims 1, 16, and 17.

The Office Action contends that the applicator roller 34 of Takeuchi et al. is a developer restricting member. (Office Action, page 3). However, as shown by Fig. 6 of Takeuchi et al., the applicator roller does not contact the partition 39. Indeed, the applicator roller and the partition are necessarily spaced apart to form a return section 40b. Thus, Takeuchi et al. cannot meet the aforementioned features of independent claims 1, 16, and 17.

Accordingly, favorable reconsideration and withdrawal of the rejection of independent claims 1, 16, and 17 under 35 U.S.C. § 102 are respectfully requested.

Regarding the rejection of claims 9 and 15 under 35 U.S.C. § 103, Watanabe relates to a high resolution liquid development image forming apparatus and is cited for its alleged teaching of “a porous sponge as a supply member.” (Office Action, page 4). Applicant respectfully submits that Watanabe adds nothing that would remedy the aforementioned deficiencies of Takeuchi et al.

Accordingly, favorable reconsideration and withdrawal of the rejection of claims 9 and 15 under 35 U.S.C. § 103 are respectfully requested.

Regarding the rejection of claim 10 under 35 U.S.C. § 103, Imamiya et al. relates to an image forming apparatus including a returning mechanism for returning excessive developing liquid and is cited for its alleged teaching of an impeller. Applicant respectfully submits that Imamiya et al. adds nothing that would remedy the aforementioned deficiencies of Takeuchi et al.

Accordingly, favorable reconsideration and withdrawal of the rejection of claim 10 under 35 U.S.C. § 103 are respectfully requested.

In view of the foregoing, Applicant respectfully submits that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicant submits that this Amendment After Final Rejection clearly places the subject application in condition for allowance. This Amendment was not earlier presented because Applicants believed that the prior Amendment placed the subject application in condition for allowance. Accordingly, entry of the instant Amendment as an earnest attempt to advance prosecution and reduce the number of issues is requested under 37 C.F.R. § 1.116.

Applicant believes that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.

There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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